

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA : CRIMINAL NO. _____
v. : DATE FILED: _____
BARRY WILF : VIOLATIONS:
 : 18 U.S.C. § 371
BETTY SHUSTERMAN : (Conspiracy to commit
 : bank fraud and mail fraud
 : -- 1 Count)
 : 18 U.S.C. § 1341
 : (Mail fraud -- 34 Counts)
 : 18 U.S.C. § 1344
 : (Bank fraud -- 1 Count)
 : 26 U.S.C. § 7201
 : (Tax evasion -- 10 Counts)
 : 26 U.S.C. § 7206(1)
 : (False statements on tax
 : returns -- 10 Counts)
 : 18 U.S.C. § 2
 : (Aiding and abetting)

I N D I C T M E N T

COUNT ONE

(Conspiracy)

THE GRAND JURY CHARGES THAT:

1. At all times relevant to this Indictment,
Temple Sinai (the "temple") was a synagogue located at
Limekiln Pike and Dillon Road in Dresher, Montgomery County,

Pennsylvania.

2. From in or about 1981, until on or about February 4, 2000, defendant BARRY WILF was the executive director of Temple Sinai. In that capacity, he acted as the chief operating officer of the temple, and was responsible for supervising all day-to-day activities of the institution other than those assigned to the temple's chief rabbi. According to a written policy, the executive director's duties included serving as the "primary interface" with synagogue members and prospective members, "control[ling] all purchases and expenditures within budgetary limits," and "oversee[ing] management of accounts payable, accounts receivable, billing, and collection." WILF also supervised all office staff, which included the temple's bookkeeper and secretaries.

3. From in or about 1963, until on or about February 4, 2000, defendant BETTY SHUSTERMAN served as the temple's bookkeeper. In that capacity, she was responsible for maintaining all financial accounts of the temple and other typical bookkeeping functions.

4. At all times relevant to this Indictment, Harleysville National Bank and Trust Company ("Harleysville") was a financial institution, the deposits of which were insured by the Federal Deposit Insurance Corporation ("FDIC").

5. At all times relevant to this Indictment,

Summit Bank ("Summit") was a financial institution, the deposits of which were insured by the FDIC.

6. From on or about July 6, 1993, until on or about February 4, 2000, in the Eastern District of Pennsylvania, defendants

BARRY WILF and
BETTY SHUSTERMAN

knowingly and intentionally conspired and agreed with each other to commit the following offenses against the United States:

-- to commit bank fraud, that is, to engage in a scheme to defraud banks, the deposits of which were federally insured, and to obtain monies owned by and under the care, custody, and control of such banks by means of false and fraudulent pretenses, representations, and promises, in violation of Title 18, United States Code, Section 1344; and

-- to commit mail fraud, that is, having devised a scheme to defraud Temple Sinai, contributors and other payors of funds to Temple Sinai, and federally insured financial institutions, and to obtain money from those persons and entities by means of false and fraudulent pretenses, representations, and promises, to cause to be delivered by the United States Postal Service items sent in furtherance of the scheme, in violation of Title 18, United States Code, Section 1341.

Manner and Means

7. It was part of the conspiracy that the defendants embezzled money from Temple Sinai and funds which contributors and others intended to pay to Temple Sinai, much of which was held in the custody of federally insured financial institutions. In total, during the course of the conspiracy, the defendants embezzled at least \$1.2 million belonging to or destined for Temple Sinai. This represented approximately 10% of the temple's intended operating budget during the course of the conspiracy. The defendants' conduct significantly affected the financial solvency of the temple; for example, at one point, all temple employees, including religious school and preschool teachers, were required to take a 5% pay cut because of the temple's financial condition.

8. It was further part of the conspiracy that the defendants stole money in the following four primary ways:

a. BARRY WILF took donation and other checks sent to Temple Sinai, and rather than deposit them in the accounts of the temple as intended by the payors, deposited them in a separate account he created at Harleysville National Bank, entitled "Temple Sinai Breakfast Club," account no. 04-1416361. To deposit such checks, he placed an unauthorized endorsement of Temple Sinai on the checks. He then withdrew the money from this account in cash, of which he gave part to BETTY SHUSTERMAN, and also used funds

in the account to pay the charges for ten cellular phones used by WILF and SHUSTERMAN and members of their families.

b. WILF and SHUSTERMAN wrote or directed that others write unauthorized checks from the temple's operating account, held at various times at Harleysville or Summit, on which forged signatures of the temple officers who were authorized to sign checks were placed (WILF and SHUSTERMAN did not have signature authority). These checks were made payable to "Temple Sinai." WILF deposited these checks as well in the "Temple Sinai Breakfast Club" account, and removed the money from that account in the same manner as described in subparagraph (a) above.

c. WILF and SHUSTERMAN wrote or directed that others write other unauthorized checks from the temple's operating account, held at various times at Harleysville or Summit, payable to various vendors of the temple. The names of the vendors used in this scheme included the temple's janitorial service, landscaper, summer camp employees, providers of office and school supplies, maintenance men, installer of playground equipment, and others, all of whom were paid in full for their services through other checks. The additional, illegitimate checks were never given to these vendors, but instead were converted by the defendants for their own use. Many of these checks bore forged signatures of temple officers authorized to sign checks. WILF deposited some of the checks in the "Temple Sinai

Breakfast Club" account, and removed the money from the account in the same manner as described in subparagraph (a) above. In addition, on numerous occasions WILF took such checks to vendors directly to Harleysville or Summit, where he cashed the checks at teller windows. On many occasions, in order to do this, he placed a forged endorsement of the payee of the check on the back of the check. After cashing such vendor checks, WILF gave part of the cash to SHUSTERMAN.

d. WILF and SHUSTERMAN took excess retirement contributions from the temple, by writing checks to financial institutions at which each held retirement accounts. Under each defendant's contract, the temple was obligated to contribute 7% of each person's salary to a 401(k) plan. Between 1995 and 1999, WILF and SHUSTERMAN wrote checks to the financial institutions at which their accounts were held in excess of this 7% obligation. For instance, Shusterman was entitled to contributions of approximately \$3,000 per year; but she took \$11,000 in 1995, \$12,000 in 1996, \$16,000 in 1997, \$11,000 in 1998, and \$17,000 in 1999. Wilf was entitled to approximately \$4,500 per year; he exceeded that in 1998 (\$6,000) and 1999 (\$17,000).

Overt Acts

9. In furtherance of the conspiracy and to achieve its objects, defendants BARRY WILF and BETTY

SHUSTERMAN committed the following overt acts, among others, within the Eastern District of Pennsylvania:

10. On or about July 6, 1993, BARRY WILF opened an account at Harleysville National Bank in the name of the "Temple Sinai Breakfast Club," account no. 04-1416361. This was a name casually given to a group of congregants who met for prayer services at the temple each morning. Their affairs did not require the existence of this account, and the officers and board of directors of the temple did not authorize the opening of the account and were unaware of its existence. WILF was the only signatory.

11. WILF obtained an endorsement stamp which read, "For deposit only Temple Sinai 1416361," which he then used to endorse and deposit in the Breakfast Club account checks made payable to "Temple Sinai." WILF never had authorization from the officers or board of directors of Temple Sinai to endorse or deposit checks payable to Temple Sinai in this manner.

12. To further the illusion that the bank account was affiliated with Temple Sinai, WILF directed officials of Harleysville to assign the actual mailing address of Temple Sinai to the account, causing the bank to then mail account statements each month to the temple as it would for an authorized account. Harleysville thereafter sent account statements to the temple's mailing address on a monthly basis, by United States mail, during the entire course of

the conspiracy.

13. WILF ordered that checks be printed bearing the name of the Temple Sinai Breakfast Club and the temple's mailing address, and such printed checks were mailed to the temple at occasional intervals during the conspiracy. One such occasion was on or about November 12, 1998, when WILF caused to be mailed a set of 200 printed checks, many of which he subsequently used to withdraw funds from the Breakfast Club account; the check order was mailed from Deluxe Checks in Springfield, Massachusetts to Temple Sinai Breakfast Club, 1401 Limekiln Pike, Dresher, Pennsylvania 19025.

14. WILF and SHUSTERMAN regularly directed other employees of the temple's office not to open any mail from financial institutions, but rather to give all such mail unopened to one of them. In this manner, they received all mail from Harleysville and Deluxe Checks regarding the Breakfast Club account.

15. Between on or about July 6, 1993 and on or about February 4, 2000, WILF deposited in the Breakfast Club account the following stolen checks, totaling \$699,771.65:

a. 688 checks given as donations to the temple, totaling \$105,604.64.

b. 83 checks written from the temple's main operating account made payable to "Temple Sinai," totaling \$423,702.48. (These checks were completed by WILF,

SHUSTERMAN, and a person acting at their direction, and included the forged signatures of temple officers authorized to sign checks. Of these 83 checks, two, totaling \$11,759.17, were written from the temple's operating account at First Fidelity Bank in 1993; 77, totaling \$391,561.98, were written from the temple's operating account at Harleysville between 1993 and 1998; and four, totaling \$20,381.33, were written from the temple's operating account at Summit Bank in 1999.)

c. 40 checks written from the temple's main operating account made payable to various vendors and other third parties, totaling \$73,880.80. (Almost all of these checks were paid from the temple's operating account at Summit Bank during 1999.)

d. Nine checks from estates made payable to Temple Sinai, totaling \$38,100.00, pursuant to the terms of wills bequeathing money to the temple.

e. Ten checks from the Jewish Federation of Greater Philadelphia made payable to Temple Sinai, totaling \$24,925.00.

f. Three checks payable to Temple Sinai, totaling \$18,541.84, representing funds left upon the closing of accounts held by the temple at First Fidelity Bank prior to 1994.

g. Eight checks from the State of Israel, totaling \$3,983.34, representing the redemption of bonds.

h. One check from the City of Philadelphia payable to Temple Sinai in the amount of \$2,590.21.

i. One check from the Commonwealth of Pennsylvania payable to Temple Sinai in the amount of \$2,971.34.

j. 18 other unknown items which could not be located by Harleysville, totaling \$5,472.00.

16. WILF withdrew most of the money deposited in the Breakfast Club account in cash, and he gave part of that cash to SHUSTERMAN. She deposited much of this cash in accounts held at CoreStates Bank (later First Union National Bank) in her and her husband's names.

17. In addition, WILF used funds from the Breakfast Club account to pay the charges for 10 cellular phones used by WILF, SHUSTERMAN, and other members of their families. This account had been opened by WILF in the name of "Temple Sinai" with Bell Atlantic Mobile Services in the late 1980's, without the knowledge or approval of the officers or board of directors of the temple. Between on or about October 13, 1993, and on or about October 20, 1998, during this conspiracy, WILF wrote checks totaling \$55,252.75 from the Breakfast Club account to Bell Atlantic to pay these charges. During the course of the conspiracy, WILF also used other proceeds of the embezzlement to pay Bell Atlantic charges for the cellular phones.

18. In addition to the unauthorized checks to

vendors described in paragraph 15(c) above, which were deposited in the Breakfast Club account, between on or about July 6, 1993 and on or about February 4, 2000 WILF and SHUSTERMAN prepared or directed that others prepare 1,061 other unauthorized checks to vendors or to petty cash, totaling \$464,815.01 (the "vendor checks"). WILF cashed all of these checks at teller windows at either Harleysville or Summit, and then gave a portion of the cash to SHUSTERMAN. Typically, WILF cashed approximately 10 of such checks at the same time, every two weeks, at the same time he cashed the paychecks issued by Temple Sinai to himself, his wife (who was a part-time employee), and to SHUSTERMAN. The banks cashed the vendor checks for WILF because he was recognized as an employer in the local area, and was believed to be cashing checks for the benefit of his employees. In addition, on many occasions the forged endorsements of the payees of the checks were placed on the backs of the checks.

19. Of the vendor checks described in the preceding paragraph, checks totaling approximately \$114,092.57 were written on the temple's operating account at Summit. The remaining checks were written on the temple's operating account at Harleysville. Of all of these checks, at least 153 checks totaling \$66,663.29 were cashed at Summit; and at least 887 checks totaling \$388,906.51 were cashed at Harleysville.

20. SHUSTERMAN personally wrote 30 of the checks from the temple's operating account made payable to "Temple Sinai," described in subparagraph 15(b), which she then gave to WILF to deposit in the Breakfast Club account.

21. As part of her duties as bookkeeper, SHUSTERMAN recorded each of the illicit checks to "Temple Sinai" and to vendors described in subparagraphs 15(b) and 15(c) in the temple's cash disbursement journal, but purposefully did not enter accurate descriptions of the purpose of the payments which could be discovered by others, as she did or directed be done for all other expenditures of the temple.

All in violation of Title 18, United States Code, Section 371.

COUNT TWO

(Bank Fraud)

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 5 and 7 through 21 of Count One of this Indictment are incorporated here by reference.

2. Between on or about July 6, 1993 and on or about February 4, 2000, in the Eastern District of Pennsylvania, defendants

BARRY WILF and

BETTY SHUSTERMAN

knowingly engaged in a scheme to defraud Harleysville National Bank and Summit Bank, and to obtain money belonging to and under the custody and control of those banks by means of false and fraudulent pretenses, representations, and promises, and did aid and abet that fraudulent scheme.

3. It was part of the scheme that defendants BARRY WILF and BETTY SHUSTERMAN embezzled funds owned by or destined for their employer, Temple Sinai, by removing funds held in the custody and control of Harleysville and Summit through false and fraudulent pretenses and representations. In part, they personally, or aided and abetted others who, removed funds from the operating account of Temple Sinai held at Harleysville (from 1993 through 1998) and at Summit (from 1998 through 2000) by placing forged signatures of authorized check signers on checks; depositing checks

payable to Temple Sinai in an unauthorized account through the unauthorized use of the endorsement of Temple Sinai; cashing unauthorized checks of the temple by placing forged and unauthorized endorsements of the payees of the checks on the backs of the checks; and doing other acts described in the incorporated paragraphs of Count One of this Indictment.

4. The unauthorized checks from the temple's operating account at Harleysville, no. 04-1416387, which bore the forged signatures of authorized check signers, and which were deposited in the Temple Sinai Breakfast Club account by placing the unauthorized endorsement of Temple Sinai on the backs of the checks, included the following:

<u>Check no.</u>	<u>Date</u>	<u>Payee</u>	<u>Amount</u>
1128	9-14-93	Temple Sinai	2,648.35
1722	1-3-94	Temple Sinai	4,753.17
2337	5-24-94	Temple Sinai	8,642.10
2348	5-9-94	Temple Sinai	8,642.97
2544	6-29-94	Temple Sinai	9,026.39

<u>Check no.</u>	<u>Date</u>	<u>Payee</u>	<u>Amount</u>
2659	7-19-94	Temple Sinai	5,312.98
3397	12-19-94	Temple Sinai	5,319.14
3652	2-24-95	Temple Sinai	5,232.63
3690	3-1-95	Temple Sinai	4,256.31
3739	3-13-95	Temple Sinai	1,246.92
4160	6-6-95	Temple Sinai	6,743.21
4390	7-5-95	Temple Sinai	3,649.56
4432	7-18-95	Temple Sinai	6,845.96
4489	8-1-95	Temple Sinai	4,286.31
4665	8-29-95	Temple Sinai	4,703.29
4708	9-12-95	Temple Sinai	4,697.26
4810	9-24-95	Temple Sinai	6,824.22
4901	10-10-95	Temple Sinai	5,645.32
4916	10-24-95	Temple Sinai	2,886.42
5083	11-7-95	Temple Sinai	2,897.48
5135	11-21-95	Temple Sinai	2,835.76
5147	12-5-95	Temple Sinai	2,864.39
5256	12-18-95	Temple Sinai	6,841.97
5334	1-15-96	Temple Sinai	3,729.42
5495	2-21-96	Temple Sinai	4,189.72
5635	4-24-96	Temple Sinai	4,657.32
5686	5-17-96	Temple Sinai	4,250.80
5791	6-6-96	Temple Sinai	6,245.10
5841	6-25-96	Temple Sinai	4,828.76
5973	7-16-96	Temple Sinai	8,024.66
6046	7-23-96	Temple Sinai	5,728.32
6114	8-14-96	Temple Sinai	6,420.86
6186	9-11-96	Temple Sinai	2,637.96
6256	9-24-96	Temple Sinai	5,469.32
6340	8-25-96	Temple Sinai	5,847.00
6550	12-23-96	Temple Sinai	5,643.98
6612	1-8-97	Temple Sinai	6,241.39
6952	5-1-97	Temple Sinai	4,887.61
7016	5-20-97	Temple Sinai	4,876.25
7117	6-2-97	Temple Sinai	3,846.25
7231	7-1-97	Temple Sinai	3,759.42
7350	7-29-97	Temple Sinai	3,619.25
7490	8-22-97	Temple Sinai	4,365.30

7540	9-9-97	Temple Sinai	6,739.40
------	--------	--------------	----------

<u>Check no.</u>	<u>Date</u>	<u>Payee</u>	<u>Amount</u>
7622	10-6-97	Temple Sinai	5,632.91
7786	11-15-97	Temple Sinai	6,284.37
7877	12-15-97	Temple Sinai	4,862.20
7932	1-6-98	Temple Sinai	6,060.61
7975	1-13-98	Temple Sinai	5,432.10
8193	4-7-98	Temple Sinai	4,169.32
8240	4-21-98	Temple Sinai	3,628.42
8321	5-4-98	Temple Sinai	4,865.90
8402	5-19-98	Temple Sinai	5,846.30
8526	6-16-98	Temple Sinai	3,275.75
8632	7-14-98	Temple Sinai	4,979.75
8652	7-28-98	Temple Sinai	6,218.95
8680	9-30-98	Temple Sinai	10,000.00
8689	7-30-98	Temple Sinai	6,482.25

5. The unauthorized checks from the temple's operating account at Summit, no. 448-1007053, which bore the forged signatures of authorized check signers, and which were deposited in the Temple Sinai Breakfast Club account by placing the unauthorized endorsement of Temple Sinai on the backs of the checks, included the following:

<u>Check no.</u>	<u>Date</u>	<u>Payee</u>	<u>Amount</u>
10679	2-2-99	Temple Sinai	5,968.74
10719	2-25-99	Temple Sinai	1,141.09
10793	3-23-99	Temple Sinai	6,896.25
1018	3-29-99	Temple Sinai	6,375.25
1273	6-8-99	Erhardt Plumbing	2,200.00
10875	8-9-99	SGS	3,876.25
10913	8-16-99	Albert Shor & Son	2,346.00
11054	9-14-99	Charles Becker	1,645.40
11057	9-14-99	Mark Vallone	2,130.25
11112	9-28-99	Harvey Show	2,575.00

<u>Check no.</u>	<u>Date</u>	<u>Payee</u>	<u>Amount</u>
11178	10-7-99	Shop N Bag	2,000.00
11179	10-7-99	Charles Erhardt	3,650.00
11361	11-16-99	A. Kanner	675.00
11363	11-16-99	Rosenberg's	1,425.00
11371	11-22-99	Kanner	1,244.00
11374	11-22-99	Albert Shor & Son	1,845.00
11431	11-30-99	Rosenberg's	849.60
11432	11-30-99	Gregg Johnston	1,245.00
11502	12-14-99	Albert Shor & Son	1,250.00
11503	12-14-99	Electra Co.	2,000.00
11552	12-27-99	True Value	876.42
11553	12-27-99	ALI	1,684.92

6. A sample of the unauthorized checks from the temple's operating account at Summit, no. 448-1007053, which bore the forged signatures of authorized check signers and forged and unauthorized endorsements of the payees, are the following:

<u>Check no.</u>	<u>Date</u>	<u>Payee</u>	<u>Amount</u>
1406	7-8-99	John Weiner	200.00
1440	7-15-99	Leonard Brown	300.00
1442	7-15-99	John Weiner	200.00
1469	7-20-99	Ted Weiner	300.00
1470	7-20-99	John Weiner	200.00
1472	7-20-99	Harvey Shorr	300.00
1474	7-20-99	Bob Lederman	200.00
1477	7-20-99	Harold Salkovitz	563.95
10804	7-27-99	Harvey Shorr	300.00
10852	8-3-99	Mike Walsh	250.00
10874	8-9-99	Harold Salkovitz	577.75
10876	8-9-99	John Weiner	200.00
10879	8-9-99	Mike Walsh	300.00
10881	8-9-99	Carrie Walsh	200.00
10909	8-16-99	Tim Walsh	200.00

<u>Check no.</u>	<u>Date</u>	<u>Payee</u>	<u>Amount</u>
10910	8-16-99	Beau Beagle	200.00
10912	8-16-99	Ted Weiner	612.25
10914	8-16-99	Harold Salkovitz	588.00
10986	8-30-99	Leonard Brown	300.00
10992	8-30-99	Harold Salkovitz	860.75
11012	9-9-99	Mike Walsh	300.00
11013	9-9-99	Leonard Brown	300.00
11015	9-9-99	Ted Weiner	300.00
11016	9-9-99	Mike Beagle	300.00
11061	9-14-99	Ted Weiner	400.00
11063	9-14-99	Mike Walsh	500.00
11067	9-14-99	Tim Walsh	200.00
11380	11-22-99	Tim Walsh	200.00
11435	11-30-99	Mike Walsh	200.00
11498	12-14-99	Mike Beagle	200.00
11499	12-14-99	Tim Walsh	200.00
11500	12-14-99	Mike Walsh	300.00

Defendant BARRY WILF cashed all of these checks at Summit, with the exception of the last six in this list, which he cashed at Harleysville.

7. As a result of this conduct, Temple Sinai has initiated legal action against Harleysville and Summit in an effort to hold them civilly responsible for the losses caused by the defendants' criminal conduct. To date, Summit has paid \$28,595.34 to the temple for honoring forged checks written in 1998 and 1999. The temple's litigation against Summit, seeking additional funds, and against Harleysville is pending.

All in violation of Title 18, United States Code, Sections 1344 and 2.

COUNT THREE

(Mail Fraud)

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 5 and 7 through 21 of Count One of this Indictment are incorporated here by reference.

2. Between on or about July 6, 1993 and on or about February 4, 2000, in the Eastern District of Pennsylvania, defendants

BARRY WILF and

BETTY SHUSTERMAN

devised and intended to devise a scheme to defraud Temple Sinai, contributors and other payors of funds to Temple Sinai, and federally insured financial institutions, and to obtain money and property from those persons and entities by means of knowingly false and fraudulent pretenses, representations, and promises, and did aid and abet that scheme.

3. It was the object of the scheme described in paragraph 2 for defendants BARRY WILF and BETTY SHUSTERMAN to embezzle funds owned by or destined for their employer, Temple Sinai, through the means described in the incorporated paragraphs of Count One of this Indictment.

4. On or about November 12, 1998, in the Eastern District of Pennsylvania, the defendants,

BARRY WILF and
BETTY SHUSTERMAN,

for the purpose of executing the scheme, did cause to be deposited for delivery by the United States Postal Service a package containing 200 printed checks of the Breakfast Club account, mailed from Deluxe Checks in Springfield, Massachusetts to Temple Sinai Breakfast Club, 1401 Limekiln Pike, Dresher, Pennsylvania 19025.

In violation of Title 18, United States Code, Sections 1341 and 2.

COUNTS FOUR to THIRTY-SIX

(Mail Fraud)

THE GRAND JURY FURTHER CHARGES THAT:

1. The allegations of paragraphs 1 through 3 of Count Three of this Indictment are incorporated here by reference.

2. On or about each of the dates listed below, in the Eastern District of Pennsylvania, the defendants,
BARRY WILF and
BETTY SHUSTERMAN,

for the purpose of executing the scheme, did cause to be deposited for delivery by the United States Postal Service an envelope containing the monthly account statement of the Breakfast Club account, account no. 04-1416361, mailed from Harleysville National Bank and Trust Company, Harleysville, Pennsylvania, to Temple Sinai Breakfast Club, 1401 Limekiln Pike, Dresher, PA 19025.

<u>Count</u>	<u>Date of Mailing of Monthly Statement</u>
4	April 30, 1997
5	May 30, 1997
6	June 30, 1997

<u>Count</u>	<u>Date of Mailing of Monthly Statement</u>
7	July 31, 1997
8	August 29, 1997
9	September 30, 1997
10	October 31, 1997
11	November 28, 1997
12	December 31, 1997
13	January 30, 1998
14	February 27, 1998
15	March 31, 1998
16	April 30, 1998
17	May 29, 1998
18	June 30, 1998
19	July 31, 1998
20	August 31, 1998
21	September 30, 1998
22	October 30, 1998
23	November 30, 1998
24	December 31, 1998
25	January 29, 1999
26	February 26, 1999

<u>Count</u>	<u>Date of Mailing of Monthly Statement</u>
27	March 31, 1999
28	April 30, 1999
29	May 28, 1999
30	June 30, 1999
31	July 30, 1999
32	August 31, 1999
33	September 30, 1999
34	October 29, 1999
35	November 30, 1999
36	December 31, 1999

All in violation of Title 18, United States Code, Sections 1341 and 2.

COUNT THIRTY-SEVEN

(Tax Evasion -- Barry Wilf -- 1995)

THE GRAND JURY FURTHER CHARGES THAT:

On or about February 20, 1996, at North Wales, in the Eastern District of Pennsylvania, defendant

BARRY WILF

did willfully attempt to evade and defeat a large part of the income tax due and owing by him to the United States of America for the calendar year 1995, by filing and causing to be filed with the Director, Internal Revenue Service Center, at Philadelphia, Pennsylvania, a false and fraudulent U.S. Individual Income Tax Return, Form 1040, in which he stated that his and his wife's taxable income for the calendar year 1995 was the sum of \$36,443, whereas, as he then and there well knew and believed, the couple's joint taxable income for the calendar year 1995 was substantially in excess of that stated, and upon which income substantial additional tax was due and owing.

In violation of Title 26, United States Code, Section 7201.

COUNT THIRTY-EIGHT

(False Statement on Tax Return -- Barry Wilf -- 1995)

THE GRAND JURY FURTHER CHARGES THAT:

On or about February 20, 1996, at North Wales,
in the Eastern District of Pennsylvania, defendant

BARRY WILF

did willfully make and subscribe a U.S. Individual Income Tax Return, Form 1040, which was verified by a written declaration that it was made under the penalties of perjury and was filed with the Director, Internal Revenue Service Center, at Philadelphia, Pennsylvania, which Form 1040 he did not believe to be true and correct as to every material matter in that the Form 1040 reported that his and his wife's taxable income for the calendar year 1995 was the sum of \$36,443, whereas, as he then and there well knew and believed, the couple's joint taxable income for the calendar year 1995 was substantially higher than that sum.

In violation of Title 26, United States Code,
Section 7206(1).

COUNT THIRTY-NINE

(Tax Evasion -- Betty Shusterman -- 1995)

THE GRAND JURY FURTHER CHARGES THAT:

On or about April 4, 1996, at Newtown, in the
Eastern District of Pennsylvania, defendant

BETTY SHUSTERMAN

did willfully attempt to evade and defeat a large part of
the income tax due and owing by her to the United States of
America for the calendar year 1995, by filing and causing to
be filed with the Director, Internal Revenue Service Center,
at Philadelphia, Pennsylvania, a false and fraudulent U.S.
Individual Income Tax Return, Form 1040, in which she stated
that her and her husband's taxable income for the calendar
year 1995 was the sum of \$49,896, whereas, as she then and
there well knew and believed, the couple's joint taxable
income for the calendar year 1995 was substantially in
excess of that stated, and upon which income substantial
additional tax was due and owing.

In violation of Title 26, United States Code,
Section 7201.

COUNT FORTY

(False Statement on Tax Return -- Betty Shusterman --
1995)

THE GRAND JURY FURTHER CHARGES THAT:

On or about April 4, 1996, at Newtown, in the
Eastern District of Pennsylvania, defendant

BETTY SHUSTERMAN

did willfully make and subscribe a U.S. Individual Income
Tax Return, Form 1040, which was verified by a written
declaration that it was made under the penalties of
perjury and was filed with the Director, Internal Revenue
Service Center, at Philadelphia, Pennsylvania, which Form
1040 she did not believe to be true and correct as to
every material matter in that the Form 1040 reported that
her and her husband's taxable income for the calendar year
1995 was the sum of \$49,896, whereas, as she then and there
well knew and believed, the couple's joint taxable income
for the calendar year 1995 was substantially higher than
that sum.

In violation of Title 26, United States Code,
Section 7206(1).

COUNT FORTY-ONE

(Tax Evasion -- Barry Wilf -- 1996)

THE GRAND JURY FURTHER CHARGES THAT:

On or about April 14, 1997, at North Wales, in the Eastern District of Pennsylvania, defendant

BARRY WILF

did willfully attempt to evade and defeat a large part of the income tax due and owing by him to the United States of America for the calendar year 1996, by filing and causing to be filed with the Director, Internal Revenue Service Center, at Philadelphia, Pennsylvania, a false and fraudulent U.S. Individual Income Tax Return, Form 1040, in which he stated that his and his wife's taxable income for the calendar year 1996 was the sum of \$4,343, whereas, as he then and there well knew and believed, the couple's joint taxable income for the calendar year 1996 was substantially in excess of that stated, and upon which income substantial additional tax was due and owing.

In violation of Title 26, United States Code, Section 7201.

COUNT FORTY-TWO

(False Statement on Tax Return -- Barry Wilf -- 1996)

THE GRAND JURY FURTHER CHARGES THAT:

On or about April 14, 1997, at North Wales, in the Eastern District of Pennsylvania, defendant

BARRY WILF

did willfully make and subscribe a U.S. Individual Income Tax Return, Form 1040, which was verified by a written declaration that it was made under the penalties of perjury and was filed with the Director, Internal Revenue Service Center, at Philadelphia, Pennsylvania, which Form 1040 he did not believe to be true and correct as to every material matter in that the Form 1040 reported that his and his wife's taxable income for the calendar year 1996 was the sum of \$4,343, whereas, as he then and there well knew and believed, the couple's joint taxable income for the calendar year 1996 was substantially higher than that sum.

In violation of Title 26, United States Code, Section 7206(1).

COUNT FORTY-THREE

(Tax Evasion -- Betty Shusterman -- 1996)

THE GRAND JURY FURTHER CHARGES THAT:

On or about April 18, 1997, at Newtown, in the
Eastern District of Pennsylvania, defendant

BETTY SHUSTERMAN

did willfully attempt to evade and defeat a large part of
the income tax due and owing by her to the United States of
America for the calendar year 1996, by filing and causing to
be filed with the Director, Internal Revenue Service Center,
at Philadelphia, Pennsylvania, a false and fraudulent U.S.
Individual Income Tax Return, Form 1040, in which she stated
that her and her husband's taxable income for the calendar
year 1996 was the sum of \$65,157, whereas, as she then and
there well knew and believed, the couple's joint taxable
income for the calendar year 1996 was substantially in
excess of that stated, and upon which income substantial
additional tax was due and owing.

In violation of Title 26, United States Code,
Section 7201.

COUNT FORTY-FOUR

(False Statement on Tax Return -- Betty Shusterman --
1996)

THE GRAND JURY FURTHER CHARGES THAT:

On or about April 18, 1997, at Newtown, in the
Eastern District of Pennsylvania, defendant

BETTY SHUSTERMAN

did willfully make and subscribe a U.S. Individual Income
Tax Return, Form 1040, which was verified by a written
declaration that it was made under the penalties of perjury
and was filed with the Director, Internal Revenue Service
Center, at Philadelphia, Pennsylvania, which Form 1040 she
did not believe to be true and correct as to every material
matter in that the Form 1040 reported that her and her
husband's taxable income for the calendar year 1996 was the
sum of \$65,157, whereas, as she then and there well knew and
believed, the couple's joint taxable income for the calendar
year 1996 was substantially higher than that sum.

In violation of Title 26, United States Code,
Section 7206(1).

COUNT FORTY-FIVE

(Tax Evasion -- Barry Wilf -- 1997)

THE GRAND JURY FURTHER CHARGES THAT:

On or about April 3, 1998, at North Wales, in the Eastern District of Pennsylvania, defendant

BARRY WILF

did willfully attempt to evade and defeat a large part of the income tax due and owing by him to the United States of America for the calendar year 1997, by filing and causing to be filed with the Director, Internal Revenue Service Center, at Philadelphia, Pennsylvania, a false and fraudulent U.S. Individual Income Tax Return, Form 1040, in which he stated that his and his wife's taxable income for the calendar year 1997 was the sum of \$30,378, whereas, as he then and there well knew and believed, the couple's joint taxable income for the calendar year 1997 was substantially in excess of that stated, and upon which income substantial additional tax was due and owing.

In violation of Title 26, United States Code, Section 7201.

COUNT FORTY-SIX

(False Statement on Tax Return -- Barry Wilf -- 1997)

THE GRAND JURY FURTHER CHARGES THAT:

On or about April 3, 1998, at North Wales, in
the Eastern District of Pennsylvania, defendant

BARRY WILF

did willfully make and subscribe a U.S. Individual Income
Tax Return, Form 1040, which was verified by a written
declaration that it was made under the penalties of
perjury and was filed with the Director, Internal Revenue
Service Center, at Philadelphia, Pennsylvania, which Form
1040 he did not believe to be true and correct as to
every material matter in that the Form 1040 reported that
his and his wife's taxable income for the calendar year 1997
was the sum of \$30,378, whereas, as he then and there well
knew and believed, the couple's joint taxable income for the
calendar year 1997 was substantially higher than that sum.

In violation of Title 26, United States Code,
Section 7206(1).

COUNT FORTY-SEVEN

(Tax Evasion -- Betty Shusterman -- 1997)

THE GRAND JURY FURTHER CHARGES THAT:

On or about March 31, 1998, at Newtown, in the
Eastern District of Pennsylvania, defendant

BETTY SHUSTERMAN

did willfully attempt to evade and defeat a large part of
the income tax due and owing by her to the United States of
America for the calendar year 1997, by filing and causing to
be filed with the Director, Internal Revenue Service Center,
at Philadelphia, Pennsylvania, a false and fraudulent U.S.
Individual Income Tax Return, Form 1040, in which she stated
that her and her husband's taxable income for the calendar
year 1997 was the sum of \$93,813, whereas, as she then and
there well knew and believed, the couple's joint taxable
income for the calendar year 1997 was substantially in
excess of that stated, and upon which income substantial
additional tax was due and owing.

In violation of Title 26, United States Code,
Section 7201.

COUNT FORTY-EIGHT

(False Statement on Tax Return -- Betty Shusterman --
1997)

THE GRAND JURY FURTHER CHARGES THAT:

On or about March 31, 1998, at Newtown, in the
Eastern District of Pennsylvania, defendant

BETTY SHUSTERMAN

did willfully make and subscribe a U.S. Individual Income
Tax Return, Form 1040, which was verified by a written
declaration that it was made under the penalties of perjury
and was filed with the Director, Internal Revenue Service
Center, at Philadelphia, Pennsylvania, which Form 1040 she
did not believe to be true and correct as to every material
matter in that the Form 1040 reported that her and her
husband's taxable income for the calendar year 1997 was the
sum of \$93,813, whereas, as she then and there well knew and
believed, the couple's joint taxable income for the calendar
year 1997 was substantially higher than that sum.

In violation of Title 26, United States Code,
Section 7206(1).

COUNT FORTY-NINE

(Tax Evasion -- Barry Wilf -- 1998)

THE GRAND JURY FURTHER CHARGES THAT:

On or about March 22, 1999, at North Wales, in the Eastern District of Pennsylvania, defendant

BARRY WILF

did willfully attempt to evade and defeat a large part of the income tax due and owing by him to the United States of America for the calendar year 1998, by filing and causing to be filed with the Director, Internal Revenue Service Center, at Philadelphia, Pennsylvania, a false and fraudulent U.S. Individual Income Tax Return, Form 1040, in which he stated that his and his wife's taxable income for the calendar year 1998 was the sum of \$28,170, whereas, as he then and there well knew and believed, the couple's joint taxable income for the calendar year 1998 was substantially in excess of that stated, and upon which income substantial additional tax was due and owing.

In violation of Title 26, United States Code, Section 7201.

COUNT FIFTY

(False Statement on Tax Return -- Barry Wilf -- 1998)

THE GRAND JURY FURTHER CHARGES THAT:

On or about March 22, 1999, at North Wales, in
the Eastern District of Pennsylvania, defendant

BARRY WILF

did willfully make and subscribe a U.S. Individual Income
Tax Return, Form 1040, which was verified by a written
declaration that it was made under the penalties of
perjury and was filed with the Director, Internal Revenue
Service Center, at Philadelphia, Pennsylvania, which Form
1040 he did not believe to be true and correct as to
every material matter in that the Form 1040 reported that
his and his wife's taxable income for the calendar year 1998
was the sum of \$28,170, whereas, as he then and there well
knew and believed, the couple's joint taxable income for the
calendar year 1998 was substantially higher than that sum.

In violation of Title 26, United States Code,
Section 7206(1).

COUNT FIFTY-ONE

(Tax Evasion -- Betty Shusterman -- 1998)

THE GRAND JURY FURTHER CHARGES THAT:

On or about April 12, 1999, at Newtown, in the
Eastern District of Pennsylvania, defendant

BETTY SHUSTERMAN

did willfully attempt to evade and defeat a large part of
the income tax due and owing by her to the United States of
America for the calendar year 1998, by filing and causing to
be filed with the Director, Internal Revenue Service Center,
at Philadelphia, Pennsylvania, a false and fraudulent U.S.
Individual Income Tax Return, Form 1040, in which she stated
that her and her husband's taxable income for the calendar
year 1998 was the sum of \$83,479, whereas, as she then and
there well knew and believed, the couple's joint taxable
income for the calendar year 1998 was substantially in
excess of that stated, and upon which income substantial
additional tax was due and owing.

In violation of Title 26, United States Code,
Section 7201.

COUNT FIFTY-TWO

(False Statement on Tax Return -- Betty Shusterman --
1998)

THE GRAND JURY FURTHER CHARGES THAT:

On or about April 12, 1999, at Newtown, in the
Eastern District of Pennsylvania, defendant

BETTY SHUSTERMAN

did willfully make and subscribe a U.S. Individual Income
Tax Return, Form 1040, which was verified by a written
declaration that it was made under the penalties of perjury
and was filed with the Director, Internal Revenue Service
Center, at Philadelphia, Pennsylvania, which Form 1040 she
did not believe to be true and correct as to every material
matter in that the Form 1040 reported that her and her
husband's taxable income for the calendar year 1998 was the
sum of \$83,479, whereas, as she then and there well knew and
believed, the couple's joint taxable income for the calendar
year 1998 was substantially higher than that sum.

In violation of Title 26, United States Code,
Section 7206(1).

COUNT FIFTY-THREE

(Tax Evasion -- Barry Wilf -- 1999)

THE GRAND JURY FURTHER CHARGES THAT:

On or about April 7, 2000, at North Wales, in the Eastern District of Pennsylvania, defendant

BARRY WILF

did willfully attempt to evade and defeat a large part of the income tax due and owing by him to the United States of America for the calendar year 1999, by filing and causing to be filed with the Director, Internal Revenue Service Center, at Philadelphia, Pennsylvania, a false and fraudulent U.S. Individual Income Tax Return, Form 1040, in which he stated that his and his wife's taxable income for the calendar year 1999 was the sum of \$35,780, whereas, as he then and there well knew and believed, the couple's joint taxable income for the calendar year 1999 was substantially in excess of that stated, and upon which income substantial additional tax was due and owing.

In violation of Title 26, United States Code, Section 7201.

COUNT FIFTY-FOUR

(False Statement on Tax Return -- Barry Wilf -- 1999)

THE GRAND JURY FURTHER CHARGES THAT:

On or about April 7, 2000, at North Wales, in
the Eastern District of Pennsylvania, defendant

BARRY WILF

did willfully make and subscribe a U.S. Individual Income
Tax Return, Form 1040, which was verified by a written
declaration that it was made under the penalties of
perjury and was filed with the Director, Internal Revenue
Service Center, at Philadelphia, Pennsylvania, which Form
1040 he did not believe to be true and correct as to
every material matter in that the Form 1040 reported that
his and his wife's taxable income for the calendar year 1999
was the sum of \$35,780, whereas, as he then and there well
knew and believed, the couple's joint taxable income for the
calendar year 1999 was substantially higher than that sum.

In violation of Title 26, United States Code,
Section 7206(1).

COUNT FIFTY-FIVE

(Tax Evasion -- Betty Shusterman -- 1999)

THE GRAND JURY FURTHER CHARGES THAT:

On or about April 3, 2000, at Newtown, in the
Eastern District of Pennsylvania, defendant

BETTY SHUSTERMAN

did willfully attempt to evade and defeat a large part of
the income tax due and owing by her to the United States of
America for the calendar year 1999, by filing and causing to
be filed with the Director, Internal Revenue Service Center,
at Philadelphia, Pennsylvania, a false and fraudulent U.S.
Individual Income Tax Return, Form 1040, in which she stated
that her and her husband's taxable income for the calendar
year 1999 was the sum of \$29,434, whereas, as she then and
there well knew and believed, the couple's joint taxable
income for the calendar year 1999 was substantially in
excess of that stated, and upon which income substantial
additional tax was due and owing.

In violation of Title 26, United States Code,
Section 7201.

COUNT FIFTY-SIX

(False Statement on Tax Return -- Betty Shusterman --
1999)

THE GRAND JURY FURTHER CHARGES THAT:

On or about April 3, 2000, at Newtown, in the
Eastern District of Pennsylvania, defendant

BETTY SHUSTERMAN

did willfully make and subscribe a U.S. Individual Income
Tax Return, Form 1040, which was verified by a written
declaration that it was made under the penalties of perjury
and was filed with the Director, Internal Revenue Service
Center, at Philadelphia, Pennsylvania, which Form 1040 she
did not believe to be true and correct as to every material
matter in that the Form 1040 reported that her and her
husband's taxable income for the calendar year 1999 was the
sum of \$29,434, whereas, as she then and there well knew and
believed, the couple's joint taxable income for the calendar
year 1999 was substantially higher than that sum.

In violation of Title 26, United States Code,
Section 7206(1).

A TRUE BILL:

Foreperson

PATRICK L. MEEHAN
United States Attorney